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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,811	12/19/2000	Craig B. Greenberg	034560-049	7313

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ROBERT E. KREBS
THELEN REID & PRIEST LLP
P.O. BOX 640640
SAN JOSE, CA 95164-0640

EXAMINER

LEE, ANDREW CHUNG CHEUNG

ART UNIT	PAPER NUMBER
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2664

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,811

Applicant(s)

GREENBERG, CRAIG B.

Examiner

Andrew C. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 17-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 07/12/2005 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/742811 is acceptable and a CPA has been established. An action on the CPA follows.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1, 2, 3, 17, 18, 19 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. "configuring a first datapath from several predefined configurations to receive the modulated data from the antenna, where the configuration selected for the first datapath corresponds to a protocol of the received modulated data; configuraing a second datapath from the several predefined configurations to receive the modulated data from the antenna, wherein the configuration selected for the second datapath corresponds to a protocol of the received modulated data; and operating the first and second datapaths in parallel to demodulate the received modulated data of multiple users" as disclosed in claim 1, "Configuring the

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first datapath further includes using first controller to provide the configuration selected for the first datapath and configuring the second datapath includes using a second controller to provide the configuration selected for the second datapath” as disclosed in claim 2; “A first output buffer coupled to the first datapath and a second output buffer coupled to the second datapath to store data for the multiple users” as disclosed in claim 3; “first and second datapath coupled to the antenna; and a first controller to select protocol and configure the first datapath to accept modulated data from the antenna and provide demodulated data in accordance with the protocol and a second controller to configure the second datapath to operate in parallel with the first datapath” as disclosed in claim 17; “an first input buffer to store the data received by the antenna and provide the data to the first datapath and a second input buffer coupled to the antenna to provide data to the second datapath” as disclosed in claim 18; “a first output buffer for storing the demodulated data from the first datapath and a second output buffer coupled to the second datapath” as disclosed in claim 19. All the quoted subject matters are considered to be new subject matters that are not described clearly and exactly in the specification and the drawings.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 3, 17 – 19 are rejected under 35 U.S.C. 102(e) as being unpatentable over Brown et al. (U.S. Patent No.6650694 B1) in view of Kameno et al. (U.S. 6282234 B1).

Regarding claim 1, Brown et al. discloses the limitation of a method to demodulate a signal comprising receiving modulated data by an antenna (Fig. 1, elements 106,108, 300; column 6, lines 6 – 7): configuring a first datapath from several predefined configurations to receive the modulated data from the antenna, where the configuration selected for the first datapath corresponds to a protocol of the received modulated data (column 6, lines 33 – 57; column 7, lines 16 – 18); Brown et al. does not disclose expressly configuraing a second datapath from the several predefined configurations to receive the modulated data from the antenna, wherein the configuration selected for the second datapath corresponds to a protocol of the received modulated data; and operating the first and second datapaths in parallel to demodulate the received modulated data of multiple users. Kameno et al. discloses the limitation of configuraing a second datapath from the several predefined configurations to receive the modulated data from the antenna, wherein the configuration selected for the second datapath corresponds to a protocol of the received modulated data; and operating the first and second datapaths in parallel to demodulate the received modulated data of multiple users (Fig. 3, elements 14-2, 16-2 for the second datapaths and in parallel operating the first and second datapaths; column 6, lines 1 – 18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. to include configuraing a second datapath from the several predefined configurations to

receive the modulated data from the antenna, wherein the configuration selected for the second datapath corresponds to a protocol of the received modulated data; and operating the first and second datapaths in parallel to demodulate the received modulated data of multiple users such as that taught by Kameno et al. in order to provide a spread spectrum receiver having an excellent interference immunity by tuning up the phase difference in the demodulated path data due to a plurality of base stations and a mutlipath, thereby enabling to utilize the data in a RAKE synthesis section (as suggested by by Kameno et al., see column 1, lines 7 – 11).

Regarding claim 2, Brown et al. discloses the limitation of the method of claim 1 wherein configuring the first datapath further includes using first controller to provide the configuration selected for the first datapath (Abstract, lines 1 – 12). Brown et al. does not disclose expressly configuring the second datapath includes using a second controller to provide the configuration selected for the second datapath. Kameno et al. discloses the limitation of configuring the second datapath includes using a second controller to provide the configuration selected for the second datapath (Fig. 3, elements 14-2, 16-2 for the second datapaths; column 5, lines 44 – 57; column 6, lines 1 – 18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. to include configuring the second datapath includes using a second controller to provide the configuration selected for the second datapath such as that taught by Kameno et al. in order to provide a spread spectrum receiver having an excellent interference immunity by tuning up the phase difference in the demodulated path data due to a plurality of base stations and a mutlipath, thereby enabling to utilize

the data in a RAKE synthesis section (as suggested by by Kameno et al., see column 1, lines 7 – 11).

Regarding claims 3, 19, Brown et al. discloses the limitation of the method of claimed further including using a a first output buffer coupled to the first datapath (Fig. 1, elements 300, 106; column 10, lines 60 – 66) and a second output buffer coupled to the second datapath to store data for the multiple users (elements 300, 118; column 10, lines 58 – 59).

Regarding claim 17, Brown et al. discloses the limitation of a system for demodulating signals (Fig. 1) comprising: an antenna (column 6, lines 6 – 7); first and second datapath coupled to the antenna (Fig.1, elements 300, 106, 108; column 7, lines 28 – 30); and a first controller to select protocol and configure the first datapath to accept modulated data from the antenna and provide demodulated data in accordance with the protocol (Fig. 1, element 150; column 10, lines 60 – 66; column 14, lines 19 – 31). Brown et al. does not disclose expressly a second controller to configure the second datapath to operate in parallel with the first datapath. Kameno et al. discloses the limitation of a second controller to configure the second datapath to operate in parallel with the first datapath (Fig. 3, elements 14-2, 16-2 for the second datapaths and in parallel operating the first and second datapaths; column 6, lines 1 – 18). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Brown et al. to include a second controller to configure the second datapath to operate in parallel with the first datapath such as that taught by Kameno et al. in order to provide a spread spectrum receiver having an excellent interference immunity by

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tuning up the phase difference in the demodulated path data due to a plurality of base stations and a mutlipath, thereby enabling to utilize the data in a RAKE synthesis section (as suggested by by Kameno et al., see column 1, lines 7 – 11).

Regarding claim 18, Brown et al. discloses the limitation of the system of claim 17 further including an first input buffer to store the data received by the antenna and provide the data to the first datapath and a second input buffer coupled to the antenna to provide data to the second datapath. (Fig. 1, elements 106, 106, 102, 300; column 9, lines 51 – 58).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew C. Lee whose telephone number is (571) 272-3131. The examiner can normally be reached on Monday through Friday from 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on (571) 272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ACL

Sep 17, 2005


Ajit Patel
Primary Examiner